

CLASSIFICATION OFFICE DECISION

Title of publication: Rec_000451

Other known title(s): Not stated

OFLC ref: 1900623.003

Medium: Video File

Creator: Not stated

Country of origin: Aotearoa New Zealand

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 04 March 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 March 2020

	Components	Running time
Timed component(s):	Rec_000451	12:09
Total running time:		12:09

Summary of reasons for decision:

The video file is a covert recording of a nude teenage girl in a bathroom. It exploits the girl's nudity to a high degree and in a voyeuristic manner. It is reasonable to assume the person who has violated her privacy has done so for the purpose of his own sexual gratification and titillation and that this is in part derived from the surreptitious nature of the recording. The video file therefore promotes and encourages the specific offences relating to intimate visual recordings and other voyeuristic offences more generally under s 216G of the Crimes Act 1961. If it were to be available it would likely to encourage others to also engage in this type of criminal behaviour. This classification interferes with the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990 but this is

an outcome that is consistent with Parliament's intention that publications that exploit young and vulnerable members of society and encourage crimes against them be classified as objectionable.